

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEN WALTERS, et al.,

Plaintiffs,

v.

JERRY DEAN FREY, individually and
d/b/a J.D. FREY EXCAVATING,

Defendant.

No. C 05-0035 PJH

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

The court has reviewed Magistrate Judge Chen's report and recommendation regarding plaintiff's motion for default judgment. Defendant filed no objections to the report. The court finds the report correct, well-reasoned and thorough, and adopts it in every respect. Accordingly, the motion for default judgment is GRANTED.

The court awards \$4,376.61 in unpaid contributions, \$648.25 in liquidated damages, \$2,439.76 in interest, and \$1,861.50 in attorneys' fees and costs, for a total of \$9,326.12.

IT IS SO ORDERED.

Dated: September 26, 2005



PHYLLIS J. HAMILTON
United States District Judge